

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CORNELL HESTER,	§
	§ No. 174, 2012
Defendant Below-	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware, in and
	§ for New Castle County
STATE OF DELAWARE,	§ Cr. ID Nos. 1002002578
	§ 0912010604
Plaintiff Below-	§
Appellee.	§

Submitted: April 12, 2012

Decided: April 18, 2012

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

ORDER

This 18th day of April 2012, it appears to the Court that:

(1) On April 2, 2012, the appellant, Cornell Hester, filed an appeal from an order of the Superior Court Commissioner denying his request for transcripts of various trial proceedings in connection with his motion for postconviction relief pursuant to Superior Court Criminal Rule 61.

(2) On April 2, 2012, the Clerk of the Court issued a notice pursuant to Supreme Court Rule 29(b) directing Hester to show cause why his appeal should not be dismissed on the basis of the Court's lack of jurisdiction to consider an appeal directly from a ruling of a Superior Court Commissioner.

On April 12, 2012, Hester filed a response to the notice to show cause. In his response, Hester does not address the issue of this Court's lack of jurisdiction to consider his appeal.

(3) This Court does not have jurisdiction to entertain an appeal directly from a ruling of a Superior Court Commissioner.¹ Indeed, this Court lacks jurisdiction to entertain any interlocutory order issued by the Superior Court in a criminal matter.² Because this Court does not have jurisdiction to entertain Hester's appeal, it must be dismissed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

¹ Super. Ct. Crim. R. 62.

² Del. Const. art. IV, §11(1) (b).